

DEVERNA LAW
305 Broadway, 14th Floor
New York, NY 10007
P 212-321-0025 • F 212-321-0024
Email: jpd@mynylawyer.com

January 29, 2016

VIA FACSIMILE (718) 613-2365 & ECF:

Honorable Magistrate Judge Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York 11201

Re: PINTCHIK ASSOCIATES LTD. v. FOREVER YOGURT BROOKLYN,
LLC, et al.
14-cv-03068 (RJD) (CLP)

Your Honor:

I am the attorney who represented the above Defendants in August 2014. Defendants write to respectfully request that the appearance currently scheduled for February 4, 2016 be rescheduled to a later date. Plaintiff consents to this request, which is defendants' first request for an adjournment of this matter.

The reason for the instant request is twofold. Firstly, I am unavailable on February 4, 2016 as I have a matters in two other counties that day: a binding arbitration in New York County relating to a 2007 loss as well and criminal court cases in Bronx County where defendants are incarcerated. Secondly, while DeVerna Law has represented Defendants in the past, this conference is outside of the scope of agreed representation and an agreement on further legal representation has not been reached.

Should it be convenient for the court, the following dates I am available: February 22, 25, 26, March 4, 8, 11, 28, 30, April 1, 6, and 7.

Respectfully submitted,



John Paul DeVerna, Esq.

cc: Jay B. Itkowitz, Esq. (By ECF)
Attorney for Plaintiff